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United States of America
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 FERNANDO CASTRO BAZAN,
15 Defendant.

CASE NO. 2:21-CR-00196-TLN
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: April 7, 2022
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

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17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on April 7, 2022.

21 2. By this stipulation, defendant now moves to continue the status conference until August
22 18, 2022, at 9:30 a.m., and to exclude time between April 7, 2022, and August 18, 2022, under Local
23 Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The government has represented that the discovery associated with this case
26 includes investigative reports, undercover surveillance footage, recorded calls in English and
27 Spanish, phone records, a forensic phone extraction, and other evidence. All of this discovery
28 has been either produced directly to counsel and/or made available for inspection and copying.

1 The government has represented that it will soon be providing an additional batch of discovery
2 consisting of additional investigative reports and other evidence.

3 b) Counsel for defendant desires additional time to continue her review of the
4 existing and forthcoming discovery, consult with her client, to conduct investigation and research
5 related to the charge, to discuss potential resolutions with her client, and to otherwise prepare for
6 trial.

7 c) Counsel for defendant believes that failure to grant the above-requested
8 continuance would deny her the reasonable time necessary for effective preparation, taking into
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the
12 case as requested outweigh the interest of the public and the defendant in a trial within the
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
15 et seq., within which trial must commence, the time period of April 7, 2022 to August 18, 2022,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
17 because it results from a continuance granted by the Court at defendant's request on the basis of
18 the Court's finding that the ends of justice served by taking such action outweigh the best interest
19 of the public and the defendant in a speedy trial.

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2 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
3 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
4 must commence.

5 IT IS SO STIPULATED.
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Dated: April 1, 2022

PHILLIP A. TALBERT
United States Attorney

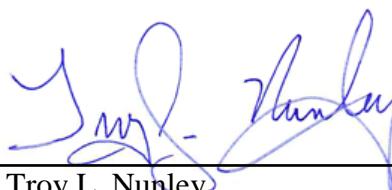
10 /s/ ADRIAN T. KINSELLA
11 ADRIAN T. KINSELLA
12 Assistant United States Attorney

Dated: March 31, 2022

13 /s/ NOA OREN
14 NOA OREN
15 Counsel for Defendant
16 FERNANDO CASTRO BAZAN

17 **ORDER**

18 IT IS SO FOUND AND ORDERED this 1st day of April, 2022.

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22 Troy L. Nunley
23 United States District Judge
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